

1 MATTHEW P. KANNY (State Bar No. 167118)

2 E-mail: mkanny@manatt.com

3 MAURA K. GIERL (State Bar No. 287430)

4 E-mail: mgierl@manatt.com

5 MANATT, PHELPS & PHILLIPS, LLP

6 11355 West Olympic Boulevard

7 Los Angeles, California 90064 1614

8 Tel.: (310) 312 4000; Fax: (310) 312 4224

9 ARUNABHA BHOUMIK (pro hac vice)

10 E-mail: abhoumik@manatt.com

11 MANATT, PHELPS & PHILLIPS, LLP

12 7 Times Square

13 New York, New York 10036

14 Tel.: (212) 790-4500; Fax: (212) 790-7575

15 Attorneys for Defendant

16 HORSE RACING LABS, LLC

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14

15 LOS ANGELES TURF CLUB,
16 INCORPORATED, a California
17 Corporation, *et al.*,

18 Plaintiffs,

19 vs.

20 HORSE RACING LABS, LLC, a
21 Delaware Limited Liability
22 Company (a/k/a IMMERSE, LLC),
23 d/b/a DERBYWARS, and DOES 1
24 through 10, inclusive,

25 Defendants.

No. 2:15-cv-09332-SJO (JEMx)

Honorable S. James Otero
Courtroom No. 10C

**AFFIDAVIT OF DISCOVERY
MASTER AND MEDIATOR
REGARDING DISQUALIFICATION
PURSUANT TO FED. R. CIV. P.
53(b)(3)(A)**

FAC Filed:	May 6, 2016
Fact Discovery Cutoff:	March 27, 2017
Expert Discovery Cutoff:	April 10, 2017
Final Pretrial Conf.:	June 19, 2017
Trial Date:	June 27, 2017

1 **TO THE CLERK OF THE ABOVE-ENTITLED COURT AND ALL**
 2 **PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE THAT**, Plaintiffs Los Angeles Turf Club, Inc.,
 4 Los Angeles Turf Club II, Inc., Pacific Racing Association, Pacific Racing
 5 Association II, Gulfstream Park Racing Association, Inc., Oregon Racing Inc.,
 6 Maryland Jockey Club of Baltimore City, Inc., and Laurel Racing Association, Inc.
 7 (collectively, "Plaintiffs"), on the one hand, and Defendant Horse Racing Labs,
 8 LLC ("Defendant"), on the other hand, have stipulated to the appointment of the
 9 Honorable Nancy Wieben Stock as the discovery master and mediator in the above-
 10 captioned action (the "Stipulation"). (Docket No. 51.) Pursuant to such Stipulation,
 11 the parties have provided Judge Stock with their Corporate Disclosure Statements
 12 and Certifications and Notices of Interested Parties (the "Disclosures"). (Docket
 13 Nos. 4-11, 24.) Judge Stock has reviewed the Disclosures and evaluated her
 14 possible disqualification under 28 U.S.C. § 455. Pursuant to the Rule 53(b)(3)(A)
 15 of the Federal Rules of Civil Procedure and the affidavit annexed hereto at
 16 **Attachment A**, the Parties respectfully request that the Court grant their Stipulation
 17 and appoint Judge Stock as the Discovery Master and mediator in this action.

18
 19 Dated: February 7, 2017

MANATT, PHELPS & PHILLIPS, LLP
 Matthew P. Kanny
 Arunabha Bhoulmik
 Maura K. Gierl

21 By: /s/ Maura K. Gierl

22 Maura K. Gierl
 23 Attorneys for Defendant
 24 HORSE RACING LABS, LLC
 25
 26
 27
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1 Dated: February 7, 2017

CORBETT, STEELMAN & SPECTER
Richard B. Specter
Diane L. Ellis

3 By: /s/ Richard B. Specter

Richard B. Specter

Attorneys for Plaintiffs

LOS ANGELES TURF CLUB, INC.;
LOS ANGELES TURF CLUB II,
INC.; PACIFIC RACING
ASSOCIATION; PACIFIC RACING
ASSOCIATION II; GULFSTREAM
PARK RACING ASSOCIATION,
INC.; OREGON RACING INC.;
MARYLAND JOCKEY CLUB OF
BALTIMORE CITY, INC. and
LAUREL RACING ASSOCIATION,
INC.

11 **LOCAL RULE 5-4.3.4(a)(2)(i) CERTIFICATION**

12 The filer of this document attests that all other signatories listed above on
13 whose behalf this filing is submitted concur in the filing's content and have
14 authorized the filing.

16 318232930.1

ATTACHMENT A

ATTACHMENT A

AFFIDAVIT OF THE HONORABLE NANCY WIEBEN STOCK

Tendered Pursuant to Fed. R. Civ. P. 53

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

NANCY WIEBEN STOCK, being duly sworn, deposes and says:

1. I am an attorney at law, duly licensed to practice law in the State of California. My bar admissions are as follows:

California State Bar. December 1976. Bar No. 72830


United States District Court, Central District of California. December 1976

Ninth Circuit Court of Appeals. December, 1976

2. I have thoroughly familiarized myself with the issues involved in the Central District of California action captioned *Los Angeles Turf Club, Inc., et al. v. Horse Racing Labs, LLC*, C.D. Cal. Case No. 15-cv-9332. I have served the parties with a comprehensive set of disclosures with an attached declaration and signed consent, dated January 31, 2017. As a result of my knowledge of that case, I attest and affirm that there are no non-disclosed grounds for disqualification under

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4 28 U.S.C. § 455 that would prevent me from serving as the Discovery Master in the
5 captioned matter.
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7 FURTHER AFFIANT SAYETH NAUGHT.
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11 Judge Nancy Wieben Stock (Ret.)
12 Superior Court of California
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